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## FACSIMILE

TO Examiner Song of the USPTO FAX (571) 273-8310 JM  
FROM Jakub M. Michna, Esq. PAGES 5 (INCLUDING THIS SHEET)  
DATE March 6, 2008  
RE Applicant: Sachs  
Serial No.: 10/688,864  
Filing Date: October 17, 2003  
OUR FILE 3253/118

## COMMENTS

Dear Mr. Song:

Attached is an Interview Request submitted in lieu of USPTO Form PTOL-413A in connection with the above-referenced matter.

Thank you for your attention to this matter.

Regards,

Jakub M. Michna

PLEASE NOTIFY BROMBERG & SUNSTEIN LLP AT (617) 443-9292, IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sachs Attorney Docket: 3253/118  
Serial No: 10/688,864 Art Group Unit: 1722  
Date Filed: Oct. 17, 2003 Examiner Name: Matthew J. Song  
Invention: Method and Apparatus for Crystal Growth

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**Certificate of Facsimile Transmission**

I hereby certify that this correspondence is being transmitted by facsimile to the attention of Examiner Song of the US Patent and Trademark Office, at 571-273-8300, the number provided on page 11 of the Office Action of January 10, 2008, as an informal communication, on March 6, 2008.

  
\_\_\_\_\_  
Jakub Michna

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**INTERVIEW REQUEST**

This Request is submitted, in lieu of USPTO Form PTOL-413A, to lay out proposed subject matter for discussion during a further telephone interview requested between Examiner Song and Applicant's undersigned representatives, Sam Petuchowski and Jakub Michna.

Claims 11-22, 59, and 65-74 are currently pending in the Application and all stand rejected. Claims 11-22, 59, and 68-74 are rejected under 35 U.S.C. 112, first paragraph, as failing to meet the definiteness, written description, and enablement requirements. Independent claims 11, 59, 68-71, and 73 are rejected under 102(b) as anticipated by Sachs (USPN 4,627,887).

The Examiner has misinterpreted applicant's remarks in the previous response. In the Examiner's office action, he notes that Applicant alleges support for his invention in Figure 6a and 6b. *Office Action, page 2*. However, the Applicant does not claim support for his invention in figures 6a and 6b. Applicant included figures 6a and 6b in the

Appl. No. 10/688,864  
Applicants' Request for Telephone Interview, dated March 6, 2008

specification in order to show the destabilizing effect on ribbon growth of prior art systems such as Sachs. To prevent further confusion, the Applicant offers to label figures 6a and 6b as prior art.

Claim 11 has support in figures 7a, 7b, and 8 of the specification. Applicant would like to refer to attached figure 8 which is marked up in order to clearly depict the structure of one embodiment of the claimed invention. The figure shows, as claim 11 requires, a crucible with a top surface that supports "substantially all of a melt." Also, as depicted in the figure and as required by claim 11, a pair of sidewalls extending downwardly from opposing edges of the top surface of the crucible.

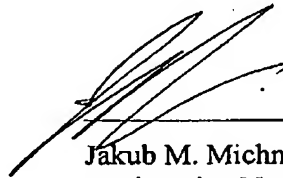
The Examiner notes that to support and retain the melt, the side walls must extend upwardly, as they do in Sachs and figure 6a of the specification. *Office Action, page 3*. Accordingly, the Examiner concludes the crucible of figure 8 could not retain the melt. Applicant believes that this misconception is the basis for all of the Examiner's rejections and, once understood, should provide the basis for the allowance of the case. Although it appears that a crucible without sidewalls cannot retain the melt, Applicant teaches that the surface tension and capillary attachment of the melt to the top surface of the crucible is sufficient to retain the melt on top of the crucible. Thus, side walls extending upwardly are not necessary. On page 20 of the specification Table II illustrates the melt height achieved as a function of the of the crucible. The specification details how retention without upwardly extending sidewalls is accomplished at *page 17, line 11 - page 20, line 3*. Therefore, Applicant submits that his claims have support in the figures and the specification. Moreover, Applicant's claim are distinguishable from Sachs because Sachs has walls extending upwardly from the top surface, whereas Applicant's claim 11, as illustrated in Figure 8, requires walls extending downwardly from opposing edges of the top surface.

Applicant requests a telephone interview with the Examiner in order to clarify any misunderstanding the Examiner may have about the invention. The Examiner is welcome

Appl. No. 10/688,864  
Applicants' Request for Telephone Interview, dated March 6, 2008

to contact Applicant's undersigned representative at 617-443-9292 or to leave a message  
indicating a time of his convenience for scheduling the requested interview

Respectfully submitted



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